



Sen. Mike Jacobs

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09600SB3501sam001

LRB096 18783 AMC 38121 a

1 AMENDMENT TO SENATE BILL 3501

2 AMENDMENT NO. _____. Amend Senate Bill 3501 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Pension Code is amended by
5 changing Section 9-157 as follows:

6 (40 ILCS 5/9-157) (from Ch. 108 1/2, par. 9-157)

7 Sec. 9-157. Ordinary disability benefit. An employee while
8 under age 65 and prior to January 1, 1979, or while under age
9 70 and after January 1, 1979, but prior to January 1, 1987, and
10 regardless of age on or after January 1, 1987, who becomes
11 disabled after becoming a contributor to the fund as the result
12 of any cause other than injury incurred in the performance of
13 an act of duty is entitled to ordinary disability benefit
14 during such disability, after the first 30 days thereof.

15 No employee who becomes disabled and whose disability
16 commences during any period of absence from duty without pay

1 ~~other than on paid vacation~~ may receive ordinary disability
2 benefit until he recovers from such disability and performs the
3 duties of his position in the service for at least 15
4 consecutive days, Sundays and holidays excepted, after his
5 recovery from such disability.

6 The benefit shall not be allowed unless application
7 therefore ~~therefor~~ is made while the disability exists, nor for
8 any period of disability before 30 days before the application
9 for such benefit is made. The foregoing limitations do not
10 apply if the board finds from satisfactory evidence presented
11 to it that there was reasonable cause for delay in filing such
12 application within such periods of time.

13 The first payment shall be made not later than one month
14 after the benefit is granted and each subsequent payment shall
15 be made not later than one month after the last preceding
16 payment.

17 The disability benefit prescribed herein shall cease when
18 the first of the following dates shall occur and the employee,
19 if still disabled, shall thereafter be entitled to such annuity
20 as is otherwise provided in this Article:

21 (a) the date disability ceases.

22 (b) the date the disabled employee attains age 65 for
23 disability commencing prior to January 1, 1979.

24 (c) the date the disabled employee attains 65 for
25 disability commencing prior to attainment of age 60 in the
26 service and after January 1, 1979.

1 (d) the date the disabled employee attains the age of 70
2 for disability commencing after attainment of age 60 in the
3 service and after January 1, 1979.

4 (e) the date the payments of the benefit shall exceed in
5 the aggregate, throughout the employee's service, a period
6 equal to 1/4 of the total service rendered prior to the date of
7 disability but in no event more than 5 years. In computing such
8 total service any period during which the employee received
9 ordinary disability benefit and any period of absence from duty
10 other than paid vacation shall be excluded.

11 Any employee whose duty disability benefit was terminated
12 on or after January 1, 1979 by reason of his attainment of age
13 65 and who continues to be disabled after age 65 may elect
14 before July 1, 1986 to have such benefits resumed beginning at
15 the time of such termination and continuing until termination
16 is required under this Section as amended by this amendatory
17 Act of 1985. The amount payable to any employee for such
18 resumed benefit for any period shall be reduced by the amount
19 of any retirement annuity paid to such employee under this
20 Article for the same period of time or by any refund paid in
21 lieu of annuity.

22 Any employee whose disability benefit was terminated on or
23 after January 1, 1987 by reason of his attainment of age 70,
24 and who continues to be disabled after age 70, may elect before
25 March 31, 1988, to have such benefits resumed beginning at the
26 time of such termination and continuing until termination is

1 required under this Section as amended by this amendatory Act
2 of 1987. The amount payable to any employee for such resumed
3 benefit for any period shall be reduced by the amount of any
4 retirement annuity paid to such employee under this Article for
5 the same period of time or by any refund paid in lieu of
6 annuity.

7 Ordinary disability benefit shall be 50% of the employee's
8 salary at the date of disability. Instead of all amounts
9 ordinarily contributed by an employee and by the county for age
10 and service annuity and widow's annuity based on the salary at
11 date of disability, the county shall contribute sums equal to
12 such amounts for any period during which the employee receives
13 ordinary disability and such is deemed for annuity and refund
14 purposes as amounts contributed by him. The county shall also
15 contribute 1/2 of 1% salary deductions required as a
16 contribution from the employee under Section 9-133.

17 An employee who has withdrawn from service or was laid off
18 for any reason, who is absent from service thereafter for 60
19 days or more who re-enters the service subsequent to such
20 absence is not entitled to ordinary disability benefit unless
21 he renders at least 6 months of service subsequent to the date
22 of such last re-entry.

23 (Source: P.A. 85-964.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."